

2

Notice of Allowability	Application No.	Applicant(s)	
	10/609,494	IWAKI ET AL.	
	Examiner	Art Unit	
	Bernard E Souw	2881	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment filed 09/16/2004.
2. ☒ The allowed claim(s) is/are 1-17.
3. ☒ The drawings filed on 20 June 2003 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

DETAILED ACTION

Amendment

1. Applicant's amendment and arguments filed 09/16/2004 in response to the office action dated 03/12/2004 have been entered. This office action is made with applicant's arguments being fully considered.

Independent claims 1, 15 and 16 have been amended.

Pending in this office action are claims 1-17.

ALLOWANCE

2. Claims 1-17 are allowed.

Reasons for Allowance

3. The following is an examiner's statement of reasons for allowance:

An optical waveguide assembly including built-in light reception and/or emission device(s) that is/are disposed inside the optical waveguide layer without leaving or forming a gap, the light reception/emission device being optically connected with the core portion of the optical waveguide, as recited in claims 1 and 16, is neither anticipated nor rendered obvious by any prior art.

Claim 15 is allowed for reciting a method of producing a light reception and/or emission device(s) built-in module comprising the steps of forming a through hole in an optical waveguide layer, forming a plurality of wiring patterns on a main surface of a

Art Unit: 2881

releasing film and aligning them altogether, disposing the light reception/emission device in the through hole by pressure, and filling the through hole in which the light reception/emission device has been disposed with a transparent resin without leaving a gap.

Claims 2-14 and 17 are also allowed because of its/their dependencies, either directly or indirectly, upon claims 1 or 16.

4. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Relevant Prior Art

5. This prior art made of record and not relied upon is considered pertinent to applicant's disclosure: US-PGPUB #2002/0076161, published on 06/20/2002 with Hirabayashi et al. as inventors, discloses an optical waveguide assembly including built-in light reception and/or emission device(s) very similar to applicant's claims 1 and 16, with the difference that Hirabayashi's light reception and/or emission device(s) is/are disposed in trench(es), in which the remaining gap between the wall of the trench and the optical device is only partially filled by transparent electrodes, as recited in sect.[0168]/II.1-4, or, in an alternative embodiment, by oil, as recited in sect.[0248].

Art Unit: 2881

Communications


6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bernard E Souw whose telephone number is 571 272 2482. The examiner can normally be reached on Monday thru Friday, 9:00 am to 5:00 pm..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John R Lee can be reached on 571 272 2477. The central fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306 for regular communications as well as for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703 308 0956.

bes

September 23, 2004


JOHN R. LEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800